

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:16-cv-463-FDW
CRIMINAL CASE NO. 3:11-CR-398-FDW-1**

JARVIS DEMOND HEMPHILL,)	
)	
)	
Petitioner,)	
)	
vs.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
<hr style="width:30%; margin-left:0"/>)	

THIS MATTER is before the Court on the Government’s motion, requesting that the Court continue holding this action in abeyance, pending a decision by the United States Supreme Court in United States v. Davis, No. 18-431 (pet’n granted Jan. 4, 2019). (Doc. No. 6). According to the Government’s motion, Petitioner’s counsel consents to the Government’s request. (Id.).

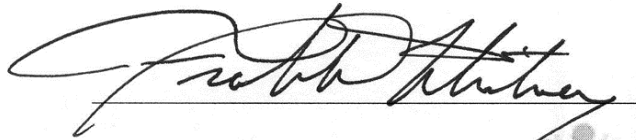
Based on the reasons given by the Government, and without objection by Petitioner, the Court concludes that the motion should be granted.

ORDER

IT IS, THEREFORE, ORDERED that the Government’s motion to continue holding this case in abeyance, (Doc. No. 6), is hereby **GRANTED** and this matter is hereby held in abeyance pending the Supreme Court’s decision in United States v. Davis, No. 18-431 (pet’n granted Jan. 4, 2019). Thereafter, the Government shall have 60 days from the date the Supreme Court issues its decision in Davis in which to respond to Petitioner’s motion.

IT IS SO ORDERED.

Signed: March 26, 2019

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

